R E M A R K S

Reconsideration of this application is respectfully requested.

According to the present invention as recited in independent claim 1, an image and audio reproducing apparatus is provided which comprises a storage device which stores a picked-up image data, audio data which is generated before and at a pick-up timing of the image data, and time data indicating the pick-up timing. In addition, as recited in independent claim 1, the image and audio reproducing apparatus of the present invention includes an audio reproducing device which reproduces the audio data, and an image reproducing device which reproduces the image data to display an image on a display device. And significantly, the image and audio reproducing apparatus of the present invention as recited in independent claim 1 further comprises a controller which controls the image reproducing device so that a display size of the image gradually changes until the audio reproducing device reproduces the audio data generated at the pick-up timing.

Similarly, according to the present invention as recited in independent claims 17 and 22, a computer program and an image and audio reproducing method are provided which perform corresponding functions to control reproducing of image data so that a display

size of an image gradually changes until audio data generated at the pick-up timing is reproduced.

Thus, according to the present invention as recited in each of the independent claims 1, 17 and 22, when audio data and image data are reproduced in a state in which both the image data and the audio data generated before and at a pick-up timing of the image data are already stored in a storage device, the image data is reproduced to display an image on a display device such that a display size of the image gradually changes until the audio data of the pick-up timing is reproduced.

Therefore, with the structure of the present invention as recited in each of the independent claims, until the audio data generated at the pick-up timing is reproduced (or played back), the (stored) image data based on which the image is displayed remains unchanged. That is, the same image based on the same image data is continuously displayed on the display device while **only** the display size of the image is gradually changed.

And it is respectfully pointed out that with the structure of the claimed present invention, an advantageous effect is produced whereby a user is enabled during playback of an image to recognize an approaching pick-up timing of the image data by viewing the changing size of the same image even when only one still image is stored.

On page 2 of the Final Office Action, the Examiner agrees that USP 6,229,953 ("Ejima et al") does not teach a controller which controls an image reproducing device so that a display size of the image gradually changes until the audio reproducing device reproduces the audio data generated at the pick-up timing as according to the present invention. For this reason, the Examiner has cited a new prior art reference US 2001/0003464 ("Niikawa").

It is respectfully submitted, however, that Niikawa also does not disclose, teach or suggest the above described feature of the present invention as recited in each of the independent claims 1, 17 and 22 whereby the reproducing of the image data is controlled so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced.

Niikawa discloses a digital camera having an electronic zoom function. In particular, Niikawa discloses in paragraph [0065] on page 4 thereof that:

> According to this construction, in the photography standby state in the photographic mode, pixel data of an image sensed at specific intervals by the image sensing unit 3 are processed by the image processor 200, and stored in the image memory 209. The image data are subjected to a thinness process described later in accordance with the magnification set by pressing the buttons 231 and 232 (hereinafter referred to as "set magnification"), and thereafter transferred to the VRAM 210, and displayed on the LCD 10 (live view display). In this way the photographer is able to visually confirm an object image via the image displayed on the LCD 10. (emphasis added)

In addition, Niikawa discloses in paragraph [0086] on page 5 thereof that:

> In the electronic zoom during live view, only image data of area CA corresponding to the set magnification are read in the center of the image data in the image memory 209, culled according to the number of pixels of the LCD 10, and displayed. (emphasis added)

Therefore, contrary to the claimed present invention, according to Niikawa, the size (400 × 300 pixels) of the image displayed on the LCD 10 is always the same as the size (400 × 300 pixels) of the LCD 10. Only the size of the center area (CA, shown in Fig. 8) subjected to the thinness process changes depending on the set magnification (electronic zoom). That is, the magnification (electronic zoom) is changed by operation of buttons 231 and 232 and the display of the LCD 10 changes in response to the operation of the buttons 231 and 232 (live view display). And in response to the operation of the buttons 231 and 232, what changes is not the display size of the image but the size of the object that gets displayed on the LCD 10.

By contrast, according the claimed present invention, the same image based on the same image data is continuously displayed only with a display size of the same image changing (see, for example, Fig. 10 of the present application).

In addition, in Niikawa, the image data subjected to the thinness process is based on pixel data of an image sensed at specific intervals. Therefore, when magnification is performed

by operating one of the buttons 231 and 232, the thinness process is performed on (next) image data which is different from (current) image data used to generate the image currently displayed on the LCD 10. Said another way, in Niikawa, same image data is not used to apply different thinness processes to generate different image sizes to be displayed on the LCD 10.

By contrast, according to the claimed present invention, the same image data is used to continuously display the same image only with the display size of the same image changing.

Still further, since Niikawa does not teach reproducing audio, it is respectfully submitted that Niikawa does not at all disclose, teach or suggest controlling reproducing of image data so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced as according to the claimed present invention.

In view of the foregoing, it is respectfully submitted that even if the teachings of Ejima et al and Niikawa were combinable in the manner suggested by the Examiner, such combination would still not achieve or render obvious the feature of the claimed present invention whereby when reproducing audio data and image data in a state in which the audio data and image data are already stored, the reproducing of the image data is controlled so that a display size of the image gradually changes until audio data generated at the pick-up timing is reproduced. And it is

respectfully submitted that such combination would not achieve the advantageous effect of the claimed present invention whereby a user is enabled during playback to easily recognize an approaching pick-up timing.

In view of the foregoing, it is respectfully submitted that the present invention as recited in each of independent claims 1, 17 and 22, as well as claims 2-4, 10-11, 13-14 and 16 depending from independent claim 1, clearly patentably distinguishes over the cited prior art references, taken singly or combination, under 35 USC 103.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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